

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY *Crotty, J.*  
DOCUMENT  
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VIA ECF

EFREN OYERBIDE, *et al.*, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

-against-

09 CV 9940  
Crotty, J.  
Dolinger, M.

NELLO BALAN, *et al.*,

Defendants.

**STIPULATION AND ORDER OF SETTLEMENT**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and Defendants, that the above-captioned action be dismissed in its entirety, with prejudice, and with no award of attorneys' fees, costs or disbursements by the Court to any Party. The settlement in this matter has been reviewed by this Court, which has found the settlement to be a fair and reasonable compromise of all claims. This Court shall retain jurisdiction of the case pending full payment under the settlement.

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New York, NY 10022-5701

By:

*Louis Pechman, Esq.*

Dated:

*1/11/11*

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Corp., Main LLC, Majestate Tantum  
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and Paul Nicaj  
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By:

*Felice B. Ekelman, Esq.*

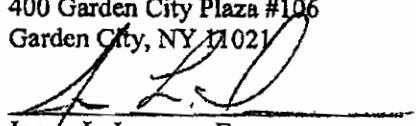
Dated:

*1/13/11*

GORDON, SIBELL & IANNONE,  
PLLC

*Attorneys for Defendants Nello  
Balan, Nello Summertime LLC, Nello  
(Catering) LLC, Nello (Food) LLC,  
999 Restaurant Corp., K-2 Rest.  
Corp, TD Source, Inc., Midtown  
Technologies Inc., Nello NY Ltd.,  
Nello On Madison, Inc. and 1350  
Sixth Avenue Corp.  
400 Garden City Plaza #106  
Garden City, NY 11021*

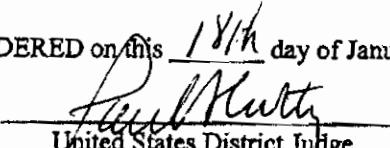
By:

  
James L. Iannone, Esq.

Dated:

1/11/11

SO ORDERED on this 18<sup>th</sup> day of January 2011

  
United States District Judge

